



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/122,740	07/27/1998	KAZUHIRO TOMIZAWA	614.1907	4749

21171 7590 05/23/2003

STAAS & HALSEY LLP
700 11TH STREET, NW
SUITE 500
WASHINGTON, DC 20001

EXAMINER

FLEURANTIN, JEAN B

ART UNIT	PAPER NUMBER
----------	--------------

2172

DATE MAILED: 05/23/2003

W

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/122,740

Applicant(s)

TOMIZAWA, KAZUHIRO

Examiner

Jean B Fleurant

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,12,14-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-8,12,14-16 and 18 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Claim 18 is added.

Claims 1, 3-8, 12, 14-16 and 18 are remained pending for examination.

Response to Applicant's Remarks

2. Applicant's arguments filed on 03/6/2003 with respect to claims 1, 3-8, 12, 14-16 and 18 have been fully considered but, have been persuasive only to the extent that the prior art of record does not specifically teach the limitations "wherein an address of the application is the items of the items of identification information, wherein the application is needed when a file is executed." However, Shinagawa teaches such limitations. And the limitations of claim 18 are discussed in the following rejection.

In response to Applicant arguments on pages 5 and 6, it is respectively submitted that Watanabe and Shinagawa disclose the claimed limitations as follow: As per claims 1 and 12, Watanabe teaches an application managing method for a case where a plurality of applications are stored (thus, an integrated circuit memory card provided with a plurality of data areas in which data is stored, which is equivalent to applications as stored)(see col. 3, lines 56-57), as claimed comprises forming a directory structure corresponding to the plurality of applications (thus, management areas in which management information is stored for management of recording the data into the data areas, which is equivalent to forming a directory structure corresponding to said plurality of applications) (see col. 4, lines 26-28);

giving items of identification information to predetermined directories of the directory structure, respectively, the items of identification information being used for identifying the

Art Unit: 2172

plurality of applications, respectively, the plurality of applications corresponding to said plurality of applications corresponding to said predetermined directories, respectively (thus, the of management area including at least a header area in which header information indicating an occupation state of data area is stored a data identification area in which data identification indicating a format in read or write of data is stored, and a data allocation information area in which data allocation information indicating a continuity state between the data is stored and the host apparatus is operative; which is equivalent to said items of identification information being used for identifying said plurality of applications, respectively, said plurality of applications corresponding to said plurality of applications corresponding to said predetermined directories, respectively)(see col. 4, lines 56-65);

performing management so that an application of said plurality of application of the plurality of applications corresponding to a directory of the predetermined directory of the predetermined directories is selected in accordance with an item of said items of identification information given to said directory of the predetermined directories (thus, management areas in which management information is stored for management of recording the data into the data areas and an integrated circuit memory card control apparatus to which the integrated circuit memory card is detachably mounted to store therein management information as well as the data, the management area of the integrated circuit memory card is provided with an identification area into which written are an occupation code indicative of recording of the data in the data area and a recording code indicative of an abnormal recording of the data in the data area and the integrated circuit memory card control apparatus provides such a control that when writing the data into the data area prior to data writing; which is equivalent to performing management so

Art Unit: 2172

that an application of said plurality of application of the plurality of applications corresponding to a directory of the predetermined directory of the predetermined directories is selected in accordance with an item of said items of identification information given to said directory of the predetermined directories)(see col. 4, lines 32-48), when the directory of the predetermined of said predetermined directories is selected (thus, the management information corresponding to the extracted data is stored in the management area while the extracted data stored in the data area; which is readable as predetermined directories is selected)(see col. 4, lines 26-28). But, Watanabe does not explicitly indicate wherein an address of the application is the application is the item of items of identification information, wherein the application is needed when a file is executed. However, Shinagawa implicitly indicates assigning a plurality of management information to identify each of said plurality of subareas including a program area number and a base address, each of said management information being stored in a second portion of said main storage area of the IC card so that the program parts are sequentially arranged in a predefined order, (see col. 7, lines 12-19). Further, in column 5, lines 21-25, Shinagawa teaches executing the application program composed of the program parts stored in the memory area of nonosequentially arranged, the sequence of executing the program parts may be stored in the attribute information memory. Thus, it would have been obvious to a person of ordinary art at the time of the invention was made to modify the teachings of Watanabe and Shinagawa with wherein an address of the application is the application is the item of items of identification information, wherein the application is needed when a file is executed. This modification would allow the teachings of Watanabe and Shinagawa to improve the accuracy and the reliability of the application managing method and information processing apparatus using the method, and

Art Unit: 2172

provide an IC card and a method for rewriting its program in which after a program is recorded in a plurality of divided programs in a memory area (see col. 1, lines 63-66).

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5-8, 12, 14-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US Patent No. 5,590,306) in view of Shinagawa (US Patent No. 5,276,903) ("Watanabe"), ("Shinagawa").

As per claims 1 and 12, Watanabe teaches an application managing method for a case where a plurality of applications are stored (thus, an integrated circuit memory card provided with a plurality of data areas in which data is stored, which is equivalent to applications as stored)(see col. 3, lines 56-57), as claimed comprises forming a directory structure corresponding to the plurality of applications (thus, management areas in which management information is stored for management of recording the data into the data areas, which is equivalent to forming a directory structure corresponding to said plurality of applications) (see col. 4, lines 26-28);

giving items of identification information to predetermined directories of the directory structure, respectively, the items of identification information being used for identifying the plurality of applications, respectively, the plurality of applications corresponding to said plurality

Art Unit: 2172

of applications corresponding to said predetermined directories, respectively (thus, the of management area including at least a header area in which header information indicating an occupation state of data area is stored a data identification area in which data identification indicating a format in read or write of data is stored, and a data allocation information area in which data allocation information indicating a continuity state between the data is stored and the host apparatus is operative; which is equivalent to said items of identification information being used for identifying said plurality of applications, respectively, said plurality of applications corresponding to said plurality of applications corresponding to said predetermined directories, respectively)(see col. 4, lines 56-65);

performing management so that an application of said plurality of application of the plurality of applications corresponding to a directory of the predetermined directory of the predetermined directories is selected in accordance with an item of said items of identification information given to said directory of the predetermined directories (thus, management areas in which management information is stored for management of recording the data into the data areas and an integrated circuit memory card control apparatus to which the integrated circuit memory card is detachably mounted to store therein management information as well as the data, the management area of the integrated circuit memory card is provided with an identification area into which written are an occupation code indicative of recording of the data in the data area and a recording code indicative of an abnormal recording of the data in the data area and the integrated circuit memory card control apparatus provides such a control that when writing the data into the data area prior to data writing; which is equivalent to performing management so that an application of said plurality of application of the plurality of applications corresponding

Art Unit: 2172

to a directory of the predetermined directory of the predetermined directories is selected in accordance with an item of said items of identification information given to said directory of the predetermined directories(see col. 4, lines 32-48), when the directory of the predetermined of said predetermined directories is selected (thus, the management information corresponding to the extracted data is stored in the management area while the extracted data stored in the data area; which is readable as predetermined directories is selected)(see col. 4, lines 26-28). But, Watanabe does not explicitly indicate wherein an address of the application is the application is the item of items of identification information, wherein the application is needed when a file is executed. However, Shinagawa implicitly indicates assigning a plurality of management information to identify each of said plurality of subareas including a program area number and a base address, each of said management information being stored in a second portion of said main storage area of the IC card so that the program parts are sequentially arranged in a predefined order, (see col. 7, lines 12-19). Further, in column 5, lines 21-25, Shinagawa teaches executing the application program composed of the program parts stored in the memory area of nonosequentially arranged, the sequence of executing the program parts may be stored in the attribute information memory. Thus, it would have been obvious to a person of ordinary art at the time of the invention was made to modify the teachings of Watanabe and Shinagawa with wherein an address of the application is the application is the item of items of identification information, wherein the application is needed when a file is executed. This modification would allow the teachings of Watanabe and Shinagawa to improve the accuracy and the reliability of the application managing method and information processing apparatus using the method, and

Art Unit: 2172

provide an IC card and a method for rewriting its program in which after a program is recorded in a plurality of divided programs in a memory area (see col. 1, lines 63-66).

As per claim 3, in addition to the discussion in claim 1, Watanabe further teaches referring to the application management table when a directory of said predetermined directories is selected (thus, provided with a plurality of data areas in which data is stored and management areas in which management information is stored for management of recording the data into the data areas; which is readable as referring to the application management table when a directory of said predetermined directories is selected)(see col. 3, lines 56-59).

As per claims 5-6 and 15-16, the limitations of claims 5-6 and 15-16 are rejected in the analysis of claim 1, and these claims are rejected on that basis.

As per claim 7, the limitations of claim 7 are rejected in the analysis of claim 1, and this claim is rejected on that basis.

As per claim 8, in addition to the discussion in claim 1, Watanabe further teaches wherein an item of the items of identification information for identifying the application of the plurality of applications is changed to an item of identification information for identifying the application obtained from updating the application of the plurality of applications (thus, said management information updating means providing such a control that when writing the data into a data area prior to the data writing, the occupation code and the recording code are written into the identification area in a first significant condition and after having completed the data writing the recording code is cleared/reset from the first significant condition; which is readable as wherein an item of the items of identification information for identifying the application of the plurality

Art Unit: 2172

of applications is changed to an item of identification information for identifying the application obtained from updating the application of the plurality of applications)(see col. 31, lines 59-65).

As per claim 14, the limitations of claim 14 are rejected in the analysis of claim 3, and this claims is rejected on that basis.

As per claim 18, in addition to the discussion in claim 1, Watanabe does not explicitly indicate building a file structure on an IC (integrated circuit) card, wherein each of a plurality of files in the file structure corresponds to one of a plurality of applications that are stored on the IC card. However, Shinagawa implicitly indicates a method for rewriting the program of an IC card comprises storing in a rewritable non volatile memory a processing program to be executed in an alu and management information for managing the area where the processing information is stored in the non volatile memory in subareas of divisional program which may include data, (see col. 2, lines 3-10). Thus, it would have been obvious to a person of ordinary art at the time of the invention was made to modify the teachings of Watanabe and Shinagawa building a file structure on an IC (integrated circuit) card, wherein each of a plurality of files in the file structure corresponds to one of a plurality of applications that are stored on the IC card. This modification would allow the teachings of Watanabe and Shinagawa to improve the accuracy and the reliability of the application managing method and information processing apparatus using the method, and provide an IC card and a method for rewriting its program in which after a program is recorded in a plurality of divided programs in a memory area (see col. 1, lines 63-66).

Art Unit: 2172

Claim Objection

4. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

6. Any inquiry concerning this communication from examiner should be directed to Jean Bolte Fleurantin at (703) 308-6718. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 6:00 P.M.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Mrs. KIM VU can be reached at (703) 305-8449. The FAX phone numbers for the Group 2100 Customer Service Center are: ***After Final (703) 746-7238, Official (703) 746-7239,***

Art Unit: 2172

and *Non-Official* (703) 746-7240. NOTE: Documents transmitted by facsimile will be entered as official documents on the file wrapper unless clearly marked "**DRAFT**".

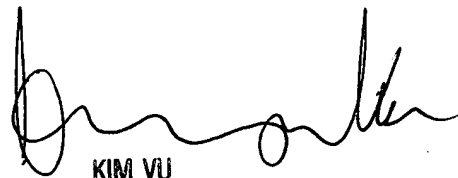
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2100 Customer Service Center receptionist whose telephone numbers are (703) 306-5631, (703) 306-5632, (703) 306-5633.



Jean Bolte Fleurantin

May 15, 2003

JBF/



KIM VU

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100